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DECISION



*R. F. Feltman
Proc III*

**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548**

FILE: D-190253

DATE: October 6, 1977

MATTER OF: Key Security, Inc.

DIGEST:

GAO will not consider protest questioning small business status of concern because conclusive authority to determine size status of business concerns is vested in SBA.

Key Security, Inc., protests the award of a contract for guard services to Aseptic Services, Inc. (Aseptic) under solicitation No. N00612-77-BB-0046, a small business set-aside, issued by the United States Navy. Essentially, the protest questions Aseptic's small business size status.

Pursuant to 15 U.S.C. § 637(b)(6) (1970), the conclusive authority to determine the size status of a business concern is vested in the Small Business Administration and is not subject to GAO review. Bay Cities Refuse Service, Inc., B-189203, June 7, 1977, 77-1 CPD 410.

Accordingly, the protest is dismissed.

for *Milton J. Dowling*
Paul G. Denbling
General Counsel